

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>December 6, 2006</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2005-358-C</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		<u></u>

SUBJECT:

DOCKET NO. 2005-358-C - dPi Teleconnect, LLC (dPi), Complainant/Petitioner v. BellSouth Telecommunications, Incorporated (BellSouth), Defendant/Respondent – Discuss with the Commission a Motion to Appoint a Hearing Officer to Establish a Procedural Schedule Filed by Patrick W. Turner, Esquire. Also, the Commission has received a request from dPi Teleconnect, LLC requesting that this matter be held in abeyance.

COMMISSION ACTION:

Mr. Chairman, BellSouth's motion to appoint a hearing officer and to establish a procedural schedule in Docket No. 2005-358-C is in follow-up to this Commission's Order No. 2006-121 dated February 27, 2006. In that order, we granted an uncontested motion to hold this proceeding in abeyance until 30 days after a dispositive order was issued in a similar proceeding in North Carolina. The North Carolina Utilities Commission has now ruled in that case, and has further denied dPi's motion for reconsideration of its ruling. dPi has asked our Commission to continue to hold our proceeding in abeyance while it appeals the North Carolina Commission ruling to the federal district court. Our previous order specifically stated that the parties were to notify this Commission of the disposition of the matter with the North Carolina Commission, and it specifically reserved our authority to re-open these proceedings at that time so that we could determine whether any further action need be taken in this Docket. I move that this Commission establish a procedural schedule to move this docket forward, and to do so through the appointment of Jocelyn Boyd as hearing officer.

PRESIDING	<u>Hamilton</u>	Session:	Regular
	MOTION YES NO OTHER	Time of Session	<u>10:30 AM</u>
CLYBURN	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	APPROVED	<u></u>
FLEMING	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	APPROVED STC 30 DAYS	<u></u>
HAMILTON	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	ACCEPTED FOR FILING	<u></u>
HOWARD	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	DENIED	<u></u>
MITCHELL	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	AMENDED	<u></u>
MOSELEY	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	TRANSFERRED	<u></u>
WRIGHT	<input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	SUSPENDED	<u></u>
		CANCELED	<u></u>
		SET FOR HEARING	<u></u>
		ADVISED	<u></u>
		CARRIED OVER	<u></u>
		RECORDED BY	<u>JBS</u>